IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.1539 OF 2007
IN
FIRST APPEAL NO.1755 OF 2005

Premilaben Bhishmakumar Dave ...Applicant
V/s.
Bhishmakumar Amritlal Dave ...Respondent

Mr.Prashant Jadhav h/b. Sandesh D. Patil, Advocate, for the Applicant.
Mr.P.J. Pawar, Advocate, for the Respondent.

CORAM : J.N. PATEL &
A.A. SAYED, JJ.

DATE : 11TH JUNE, 2007.

P.C. :

1. The Applicant, who is Respondent in the Appeal, has sought directions against the Appellant-husband to comply with the decree by depositing the entire decreetal amount in this Court.

2. The learned Counsel appearing for the Appellant-husband submits that the Appellant is drawing approximately Rs.5,000/- per month as pension and he is required to pay maintenance which has been ordered under Section 125 of the Criminal Procedure Code in addition to the maintenance granted under the decree

which is the subject matter of the Appeal.

3. After deliberations, the Appellant-husband agrees by way of interim arrangement to start paying to the Respondent-wife a sum of Rs.3,000/- per month i.e. Rs.2,000/- towards current maintenance and Rs.1,000/- towards arrears of maintenance from the month of June, 2007 onwards and would henceforth continue to deposit the same by 15th of every month without any further default.

4. It is made clear that in case of any default, the Respondent-wife would be at liberty to move this Court for dismissal of the Appeal for non-compliance of the orders passed by this Court.

5. The Civil Application stands disposed of accordingly.

[J.N. PATEL, J.]

[A.A. SAYED, J.]